

**MINUTES  
CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING  
June 8, 2021**

**Attachment A**

- Roll Call**
- The meeting was held via the BlueJeans Platform and came to order at 5:32 p.m. All Board members were present except Michael Gray, Lourdes Silva, and Tim Ware.
- Public Comments**
- Robin Sales thanked Executive Officer Parker for the information he provided regarding the County's Unconscious Bias training. Ms. Sales provided a definition of bias that she was provided in a different training. She requested that CLERB Members avoid performance-based training, that the training be evaluated for best practices, and that the best possible support be offered for evaluating cases.
  - Mary Best stated that she was deeply concerned about mental health training and the professional mental health staff in the County of San Diego detention facilities. Ms. Best asked the Board to address critical life-threatening issues impacting the mentally ill. She also asked how mentally compromised individuals are identified during initial contact and what actions are taken. Ms. Best asked what services were in place to ensure public safety while ensuring civil and human rights of mentally compromised citizens. She also referenced video of a previous CLERB Case.
  - Reverend Shane Harris thanked the CLERB for their work, noting that it is not easy. Reverend Harris stated that the People's Association of Justice Advocates has been doing groundbreaking analysis on policing and re-imagining policing. He stated that this association requested important data from both the San Diego Police Department and the County of San Diego Sheriff's Department. Reverend Harris discussed the details of the data requested. He also stated that the data would be officially released on June 10, 2021, at 11 am. He noted that he asked Executive Officer Parker to attend this briefing. Reverend Harris asked the CLERB to approve Executive Officer Parker's presence at this briefing in partnership with this association. He also stated that this would be a good opportunity to educate the public about what CLERB does.
  - Lori Saldana stated that she wanted to address the CLERB regarding the practice of using Narcan to assist inmates experiencing drug withdrawals. Ms. Saldana specifically discussed the Naloxone that was distributed to the Sheriff's Department. She noted that this was a tragedy when people are dying from Fentanyl overdoses. Ms. Saldana discussed the procedures in place at Los Angeles County detention facilities. She asked CLERB to write a letter to the County of San Diego Sheriff's Department and ask what the plan is for the Naloxone donations and when it will be implemented. Ms. Saldana also stated that she was happy that Executive Officer Parker briefed the Board on the audit going forward from State Assembly Member Weber's office.
  - Darwin Fishman stated that he wanted to share his The Racial Justice Coalition of San Diego and the Equity and Justice Coalition of North County's ongoing work with CLERB and noted that it is always disturbing to hear about an in-custody death. Dr. Fishman referenced a previous CLERB case. He discussed his organizations' desire to continue to work with CLERB, as well as other entities. Dr. Fishman stated that San Diego appears to continue to have a serious problem with in-custody deaths. He also noted his concerns regarding a recent wrongful arrest case. Dr. Fishman stated that he hoped CLERB could play a positive role in resolving some long-standing issues between law enforcement and the community.
  - Natalie Nashat referenced a recent article regarding a pilot program in Yolo County concerning Assembly Bill 1542. Ms. Nashat then read the article. She stated that she wanted to see if this could be a potential program for San Diego County detention facilities.
  - Andi MacLeod stated that she wanted to echo the comments made by Lori Saldana and thank the Board for their work.
- Minutes Approval**
- Secretary Robert Spriggs made a motion to approve the May 2021 meeting minutes. The motion was seconded by Gary Wilson. The vote was unanimous; the motion carried.
- Presentation/Training**
- There was no presentation or training.

## Executive Officer's Report

- Overview of Activities of CLERB Executive Officer (EO) and Staff
  - On May 18, 2021, Mr. Parker met with members of San Diegans for Justice to discuss CLERB's role and responsibilities.
  - On May 24, 2021, Vice Chair Eileen Delaney and Mr. Parker will meet with District 3 Supervisor Terra Lawson-Remer.
  - On May 25, 2021, Mr. Parker met with a County data analyst to discuss CLERB's desire to participate in the County's public data portal and to target specific data points as they pertain to the perceived race of subject officers and the race of complainants and decedents. The goal is to begin publicizing relevant and pertinent data in January 2022.
  - On May 26, 2021, Mr. Parker met with Andrew Strong, the Director of the County's Office of Equity and Racial Justice (OERJ) to discuss how CLERB could best assist the OERJ meet its mission statement to create transformative, enduring, structural, and systemic change within San Diego County government.
  - On May 27, 2021, Mr. Parker presented CLERB's Operational Plan and 2021/2022 budget to the Board of Supervisors.
  - On June 9, 2021, Mr. Parker will present an Overview of CLERB at the San Diego Sheriff's Department's Detentions Academy.
  - On June 10, 2021, Shane Harris and People's Association of Justice Advocates will hold a press conference to discuss CLERB's response to a Public Records Act request pertaining to the use of excessive force and deputy-involved shootings. Reverend Harris has requested Mr. Parker's attendance at the press conference.
  - On June 16, 2021, Mr. Parker will present a CLERB Overview and 2020 Annual Report presentation to the Imperial Beach City Council.
  - On June 29, 2021, the Detention Facility Inspection Subcommittee will meet with SDSO personnel to kick off detention facility inspection conversations, with the goal of conducting the first such inspection in January 2022.
  - Mr. Parker has been selected to participate in a panel discussion about civilian oversight at the county level at the virtual NACOLE conference on August 24, 2021.
  - Staffing Update:
    - On June 4, 2021, Claudia Wigfall and Jeffrey Gross started as CLERB Special Investigators. They will be in a training program for the next month.
    - The third candidate is in the background process and we hope she will be able to start in July.
    - Special Investigators Gross and Wigfall gave a brief self-introduction.
  - Interviews have been scheduled for CLERB member vacancies over the next two weeks.
- Investigative Workload and Classification Report for May 2021
  - There were 10 new cases (as compared to 19 for May 2020).
  - At the end of May there were 77 active cases (nine in "lodged" status and 68 open and active).
    - There were 21 open death cases.
      - CLERB had documents for 14 cases and was awaiting documents on the remaining seven.
      - There was one new death case in May (one in-custody death).
    - There were five open uses of force resulting in gross bodily injury without a complaint.
    - There was one open discharge of firearm without a complaint.
    - No uses of force at protest or First Amendment protected events without a complaint have been reported.
- Case Progress and Status Reports
  - Mr. Parker discussed the two reports: "CLERB Reports by Due Date" and "CLERB Reports Due by Case Number."
    - There are 13 cases scheduled to reach their one-year time limitation by June 30, 2021, to include the 60-day Peace Officers Bill of Rights timeline extension mandated by Governor Newsom in March 2020. Five of those cases are on tonight's agenda and two are already on July's agenda.
- Executive Officer Correspondence to Full CLERB
  - The following emails were sent to CLERB:

- One media article compilation containing 10 articles.
- One media article pertaining to a request from local assembly members to the state's Joint Legislative Audit Committee (JLAC) to audit San Diego County jail deaths.
- One pertaining to the actual letter to JLAC and Mr. Parker's responses to the letter's questions / comments about CLERB.
- One containing SDSD Sergeant Brayman's response to a CLERB member inquiry pertaining to dependent adult training posed at the May meeting.
- One containing updated CLERB Board Policy and Procedure Guidelines.
- One containing updated CLERB Rules and Regulations.
- Pending Responses for Policy Recommendations
  - 17-150 / Horsey – SDSD
  - 18-150 / Morris – SDSD
  - 19-018 / Thornton – Probation
  - 19-091 / Brooks – SDSD
  - 20-014 / Pace - SDSD
- Policy Recommendation Response
  - None
- Sustained Findings Pending Responses
  - 21-011 / Satallante – SDSD
- Letter of Concern Response
  - 20-015 / Montoya – SDSD
    - The usage of take-home vehicles is approved by an employee's chain-of-command, up to and including the Undersheriff. The assignments are reviewed semi-annually.
    - Cellphones are issued to sworn personnel and the Location Services feature must be left on.
    - Sheriff employee work schedules are tracked and approved by direct supervisors.

#### **Board Chair's Report**

- Board Chair Susan Youngflesh welcomed the new CLERB Investigative staff.
- Board Chair Youngflesh thanked the liaisons from both Sheriff and Probation Departments.
- Board Chair Youngflesh read comments received from Board Member, Lourdes Silva; and thanked Ms. Silva.

#### **New Business**

- CLERB Officer Nomination Committee
  - Board Officer terms were changed from calendar year to fiscal year (July 1 to June 30). The nomination committee will be created this month and the actual officer nominations will occur next month.
  - Contact Board Chair Youngflesh, Vice Chair Delaney or Executive Officer Parker if you would like to participate in this committee.
  - Current committee members include: Vice Chair Delaney, Gary Wilson, and Board Chair Youngflesh.
- In-person CLERB meetings.
  - The County of San Diego officially re-opens on June 15, 2021.
  - CLERB will return to in-person meetings and is exploring a way to maintain the virtual component, as it encourages more public participation.
  - Administrative Assistant Tamicha Husband is meeting with County Communications on June 16, 2021, to discuss future meeting logistics. Additional information will be provided at the July 2021 meeting.
  - There was discussion regarding whether use of the BlueJeans Platform was required.

#### **Unfinished Business**

- Detention Facility Inspection Subcommittee Update Presented by Vice-Chair Eileen Delaney
  - The committee is looking forward to the meeting with the County of San Diego Sheriff's Department.
  - Thank you to the County of San Diego Board of Supervisors for increasing CLERB's budget. The increase paved the way for three new CLERB investigative staff.
- In-Custody Death Review Subcommittee Update Presented by Michael Gray
  - The Request for Proposal (RFP) has closed.

- The Source Selection Committee is reviewing the submissions.
- The formal evaluation of those candidates will occur on June 21, 2021.
- Additional information will be provided at the July 2021 meeting.

## **Board Comments**

- There were no Board Member comments.

## **Sheriff/Probation Liaison Query**

- Vice Chair Eileen Delaney asked if hormone therapy is provided by the Sheriff's Department to transgender inmates.
  - Sergeant Kristin Brayman stated any inmate could submit a medical request to speak to a doctor and that the doctor would determine the appropriate medication or treatment.
- Vice Chair Delaney asked if information regarding tests provided to inmates during intake could be provided.
  - Sergeant Brayman stated that the inmates received a comprehensive assessment of their medical, dental, and mental health needs, including current and past drug and alcohol use to determine if further evaluation, treatment, or medical clearance is needed from a hospital first. She also stated that if the blood pressure did not meet the parameters, the inmate would be sent to the ER for clearance and then booked upon release. Sergeant Brayman stated that medical protocol is dictated by the Sheriff's medical policy E.2.1, which is located on the Sheriff Department's website under Detention Services Bureau.
- Vice Chair Delaney clarified that if the inmate had high blood pressure they would be returned to the hospital.
  - Sergeant Brayman clarified that the individual would need to be cleared at a medical facility if the blood pressure was outside of the parameters after being read more than two times.
- Vice Chair Delaney stated that the individuals would have medication.
  - Sergeant Brayman stated that inmates with medication would need to disclose that information during intake. The inmate would be assessed to determine if they would continue medication while in custody.
- Vice Chair Delaney asked about inmates that are unaware of their condition and who were not currently taking medication during intake.
  - Sergeant Brayman clarified that if an inmate had an elevated blood pressure after more than two readings the intake nurse would recommend medical clearance prior to booking. If the blood pressure was still outside of the parameters, the inmate would be taken back to the ER for further evaluation.
- Bonnie Kenk asked who was responsible for checking in visitors and ensuring that they did not bring anything into the visiting area, specifically family members.
  - Sergeant Daniel Dennis informed the Board that the majority of the detention facilities have no contact visits for family members. Under these circumstances there is no search conducted as there is no physical contact with the inmate. Sergeant Dennis informed the Board that at detention facilities such as Las Colinas and East Mesa the person would go through a body scanner, but there was no physical pat down of the person.
- Ms. Kenk clarified her question and asked who was responsible for informing visitors that they could not bring any items into the visiting area.
  - Sergeant Dennis stated that the professional staff who check them in are generally responsible for enforcing this rule. He also stated that there are signs posted in the visiting area. Sergeant Dennis stated that some of the detention facilities have locker for individuals to store their belongings.
- Ms. Kenk asked if the signs were posted in both English and Spanish.
  - Sergeant Dennis stated that signs are generally posted in both languages at the detention facilities.
  - Sergeant Brayman informed the Board that the signs are also posted in both languages in the parking lot.
- Sergeant Brayman answered questions posed by Robert Spriggs.
  - What is the department doing to curbe in-custody death?  
There are several safety methods in place. Both medical and mental health staff have been increased. There are surveillance cameras and continuous safety checks

in the facilities. Staff have access to naloxone in case of drug overdose. There is drug detection equipment to include K-9s and drug awareness training for all staff. Additional information may be located on the Sheriff's Department website under Detention Services Bureau.

- Do deputies receive training on how to recognize the signs of inmate distress?  
Yes, the training requirement has increased from 2 hours to 6 hours. Deputies receive training such as Excited Delirium, Psychiatric Emergency Response, Medical Emergency, Under the Influence Recognition, CPR, AED, and First Aid. Suicide Prevention training is now required every two years.
- Have deputies received any new or additional de-escalation training?  
Yes, the training requirement has increased from 2 hours to 6 hours.
- Vice Chair Delaney asked if inmates are drug tested during intake.
  - Sergeant Brayman stated that there is no automatic drug test.
- Gary Wilson asked if the deputies have the opportunity to become drug recognition experts.
  - Sergeant Dennis stated that the answer was no unless they were a part of a specialized unit.
- Mr. Wilson asked if field deputies were drug recognition experts.
  - Sergeant Dennis stated that the answer was yes, but not in the detention setting.
- Mr. Wilson asked if the same training (drug recognition expert) was offered to the Detention Services Bureau staff.
  - Sergeant Dennis stated that to his knowledge the answer was no.
- Sergeant Brian Barnum answered questions posed by Robert Spriggs.
  - As it relates to the pandemic, are the number of people getting off probation decreasing?  
While we saw a decrease in our numbers, the pandemic did not impact people getting off probation. There was a 31% decrease on the adult side, a 40% decrease on the juvenile side and institutions saw a 29% decrease. Some of the numbers will start to increase as the pandemic did impact people coming onto probation. About 75% of the cases currently held up in the court system will go to probation. Recent legislative changes impact how long people are on probation.
  - What are some of the things being done to get people off probation?  
In order to get someone off probation, we need to get to the root cause of the criminal behavior. Individuals that come to probation are assessed. We try to link them with the appropriate services to deal with the root cause of the criminal behavior. We also work with the Sheriff's Department to ensure there is a smooth transition from in-custody to probation in the community. Inmates in custody meet with probation officers so that the services they need once released may be set up to continue. We try to link them to services like housing, employment, and medications, if any. We also try to get family members and important people in their lives involved in the rehabilitation. It is a greater success for all involved if we could get everyone onboard.
  - How has the pandemic helped or hindered the people on probation, the officers, or other staff members?  
Everyone had to adjust to working from home. There could be challenges with working longer periods when you are at home. Those staff trying to entertain children learning to attend school online found it challenging. It was positive and negative. Most staff enjoyed working from home and hope that the County will continue to allow it after the pandemic. One of the negatives is less face-to-face time with our clients. Our officers need to see and observe our clients to get a good feel for how they are actually doing. The County of San Diego was great at ensuring staff could access their workloads from home.

The Board entered closed session at 6:44 p.m.

#### **Closed Session**

- a) **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**  
**Discussion & Consideration of Complaints & Reports:** Pursuant to Government code Section 54957 to hear complaints or charges brought against Sheriff or Probation employees by a citizen (unless the employee requests a public session). Notice to government Code Section 54957 for deliberations regarding consideration of subject

officer discipline recommendation (if applicable).

- b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Notice pursuant to Government Code section 54957  
Title: Executive Officer, CLERB

<b>CASE NO.</b>	<b>LAST NAME</b>	<b>CASE NO.</b>	<b>LAST NAME</b>
19-143	Godfrey	20-053	Duell
20-018	Rueda	20-073	Mckissack
20-038	Lechuga	20-074	Frier
20-043	Cinci	21-045	Patton

The meeting was adjourned at 8:36 p.m.

*Minutes prepared by Tamicha Husband, Administrative Secretary*



PAUL R. PARKER III  
Executive Officer



ROBERT SPRIGGS, JR.  
Secretary to the Board